

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON RULES

Call to Order: Chair Jeff Essmann, on December 7, 2016 at 10:30 A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Jeff Essmann, Chair (R)
Rep. Kirk Wagoner, Vice Chair (R)
Rep. Kimberly Dudik, Vice Chair (D)
Rep. Bryce Bennett (D)
Rep. Rob Cook (R)
Rep. Alan Doane (R)
Rep. Jennifer Eck (D)
Rep. Ron Ehli (R)
Rep. Kathy Kelker (D)
Rep. Forrest Mandeville (R)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Sharon Stewart-Peregoy (D)
Rep. Brad Tschida (R)
Rep. Tom Woods (D)

Members Excused: Rep. Seth Berglee, Rep. Greg Hertz

Members Absent: None

Staff Present: Helen Thigpen, Legislative Services Division
Nate McConnell, Legislative Services Division
Phoebe Williams, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary: Hearing - HR1
Executive Action - HR 1 Be Adopted as Amended.

00:00:58 Chair Essmann

00:01:03 **Motion/Vote:** Rep. Wagoner moved that **THE COMMITTEE ALLOW PROXIES**. Motion carried unanimously by voice vote.

HEARING ON HR 1

Opening Statement by Sponsor:

00:01:38 Chair Essmann opened the hearing on HR 1, House rules resolution.

EXECUTIVE ACTION ON HR 1

00:03:19 **Motion:** Rep. Wagoner moved that **HR 1 BE ADOPTED**.

Discussion:

00:03:35 Helen Thigpen, Legislative Services Division (LSD)

00:03:55 Chair Essmann

00:04:15 Rep. Cook

00:04:20 Chair Essmann

Public Comment:

00:04:47 Rep. Zolnikov

00:10:17 Chair Essmann

00:10:23 Rep. Kelker

00:11:07 Rep. Zolnikov

00:12:27 Rep. Kelker

00:13:05 Rep. Zolnikov

00:14:24 Chair Essmann

00:14:28 Rep. Bennett

00:15:18 Rep. Zolnikov

00:15:51 Chair Essmann

00:16:13 Helen Thigpen, LSD

EXHIBIT(ruh00a01)

00:18:39 Chair Essmann

00:18:52 **Motion:** Rep. Bennett moved that **HR 1 BE AMENDED**.

EXHIBIT(ruh00a02)

Discussion:

00:19:57 Chair Essmann

00:20:03 Rep. Cook

00:20:23 Chair Essmann

00:22:18 Rep. Kelker

00:22:45 Chair Essmann

00:23:30 Rep. Kelker

00:23:58 Rep. Bennett

00:24:54 Rep. Ron Ehli

00:25:35 Chair Essmann

00:27:10 Rep. Cook

00:27:27 Rep. Bennett
00:28:35 Rep. Cook
00:29:20 Rep. Bennett
00:30:08 Rep. Woods
00:30:39 Rep. Bennett

00:30:54 **Vote:** Motion failed 7-10 by roll call vote with Rep. Bennett, Rep. Dudik, Rep. Eck, Rep. Kelker, Rep. McConnell, Rep. Stewart-Peregoy and Rep. Woods voting aye. Rep. Berglee and Rep. G. Hertz voted by proxy.

00:32:18 **Motion:** Rep. Bennett moved that **HR 1 BE AMENDED.**
EXHIBIT(ruh00a03)

Discussion:

00:32:54 Chair Essmann
00:32:58 Rep. Cook
00:33:54 Rep. Kelker
00:34:36 Rep. Bennett
00:35:10 Rep. Kelker
00:35:26 Rep. Bennett
00:35:38 Chairman Essmann
00:35:40 Rep. Woods
00:36:20 Chair Essmann
00:37:03 Rep. Woods
00:37:40 Rep. Cook
00:38:03 Rep. Doane

00:39:10 **Vote:** Motion failed 5-12 by voice vote with Rep. Dudik, Rep. Eck, Rep. Kelker, Rep. Stewart-Peregoy and Rep. Woods voting aye. Rep. Berglee and Rep. G. Hertz voted by proxy.

00:39:36 **Motion:** Rep. Bennett moved that **HR 1 BE AMENDED.**
EXHIBIT(ruh00a04)

Discussion:

00:41:27 Chair Essmann
00:43:18 Rep. Cook
00:44:04 Rep. Ehli
00:46:00 Rep. Bennett
00:47:01 Rep. Tschida
00:48:05 Chair Essmann
00:50:03 Rep. Tschida
00:51:14 Rep. Essmann
00:51:53 Rep. Cook
00:52:21 Rep. Ehli
00:53:41 Rep. Kelker
00:54:23 Chair Essmann
00:56:37 Rep. Kelker

00:57:04 Chair Essmann
00:57:11 Rep. Eck
00:58:14 Chair Essmann
00:58:32 Rep. Bennett

01:00:04 **Vote:** Motion failed 7-10 by roll call vote with Rep. Bennett, Rep. Berglee, Rep. Eck, Rep. Essmann, Rep. Kelker, Rep. McConnell and Rep. Stewart-Peregoy voting aye. Rep. Berglee and Rep. G. Hertz voted by proxy.

01:01:25 **Motion:** Rep. Dudik moved that **HR 1 BE AMENDED.**
[EXHIBIT\(ruh00a05\)](#)

Discussion:

01:02:24 Chair Essmann
01:02:33 Rep. Cook
01:02:45 Chairman Essmann
01:02:50 Helen Thigpen, LSD
01:02:58 Chair Essmann
01:05:05 Rep. Dudik
01:06:04 Rep. Essmann
01:06:15 Rep. Mandeville
01:06:33 Rep. Dudik
01:06:43 Rep. Mandeville
01:06:46 Helen Thigpen, LSD

01:07:06 **Vote:** Motion carried 9-8 by roll call vote with Rep. Berglee, Rep. Doane, Rep. Ehli, Rep. Essmann, Rep. G. Hertz, Rep. Mandeville, Rep. Manzella and Rep. Wagoner voting no. Rep. Berglee and Rep. G. Hertz voted by proxy.

01:08:51 **Motion:** Rep. Eck moved that **HR 1 BE AMENDED.**
[EXHIBIT\(ruh00a06\)](#)

Discussion:

01:10:29 Rep. Ehli

01:10:46 **Vote:** Motion failed 7-10 by roll call vote with Rep. Bennett, Rep. Dudik, Rep. Eck, Rep. Kelker, Rep. McConnell, Rep. Stewart-Peregoy and Rep. Woods voting aye. Rep. Berglee and Rep. G. Hertz voted by proxy.

01:11:57 **Motion/Vote:** Rep. Eck moved that **HR 1 BE AMENDED.** Motion failed 7-10 by roll call vote with Rep. Bennett, Rep. Dudik, Rep. Eck, Rep. Kelker, Rep. McConnell, Rep. Stewart-Peregoy and Rep. Woods voting aye. Rep. Berglee and Rep. G. Hertz voted by proxy.

[EXHIBIT\(ruh00a07\)](#)

01:14:41 **Motion:** Rep. Bennett moved that **HR 1 BE AMENDED.**
[EXHIBIT\(ruh00a08\)](#)

Discussion:

01:15:20 Rep. Wagoner

01:15:50 Rep. Kelker

01:16:23 Rep. Bennett

01:16:57 **Vote:** Motion failed 3-14 by roll call vote with Rep. Cook, Rep. McConnell and Rep. Stewart-Peregoy voting aye. Rep. Berglee and Rep. G. Hertz voted by proxy.

01:18:10 **Motion:** Rep. Wagoner moved that **HR 1 BE AMENDED.**

EXHIBIT(ruh00a09)

Discussion:

01:18:23 Chair Essmann turned gavel to vice chair

01:19:18 Rep. Cook

01:19:30 Rep. Essmann

01:19:53 Rep. Woods

01:20:25 Rep. Essmann

01:21:03 Rep. Woods

01:21:34 Rep. Essmann

01:23:26 Rep. Mandeville

01:24:37 Rep. Essmann

01:25:15 Rep. Kelker

01:26:24 Rep. Essmann

01:26:55 Rep. Dudik

01:28:44 **Vote:** Motion carried 10-7 by roll call vote with Rep. Bennett, Rep. Dudik, Rep. Eck, Rep. Kelker, Rep. McConnell, Rep. Stewart-Peregoy and Rep. Woods voting no. Rep. Berglee and Rep. G. Hertz voted by proxy.

01:29:54 **Motion/Vote:** Rep. Essmann moved that **HR 1 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(ruh00a10)

01:31:15 **Motion/Vote:** Rep. Essmann moved that **HR 1 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(ruh00a11)

01:32:14 Rep. Essmann

01:32:57 Rep. Bennett

01:33:15 **Motion:** Rep. Bennett moved to **CONCEPTUALLY AMEND HR 1 ON PAGE 53 LINE 8 CHANGE TELECOMMUNICATIONS TO TECHNOLOGY AND LINE 13 ADD TECHNOLOGY AFTER TELECOMMUNICATIONS.**

Discussion:

01:34:07 Helen Thigpen, LSD

01:34:32 **Substitute Motion:** Rep. Essmann made a substitute motion to
**CONCEPTUALLY AMEND HR 1 ON LINE 8 NAME THE COMMITTEE
ENERGY TECHNOLOGY AND FEDERAL RELATIONS.**

Discussion:

01:35:14 Chair Wagoner
01:35:21 Helen Thigpen, LSD
01:35:50 Rep. Bennett
01:36:00 Rep. Cook

01:36:14 **Vote:** Motion carried unanimously by voice vote.

01:36:58 Rep. Essmann
01:37:17 Chair Wagoner

01:37:34 **Motion:** Rep. Essmann moved that **HR 1 BE AMENDED.**
EXHIBIT(ruh00a12)

Discussion:

01:39:01 Rep. Eck
01:39:10 Helen Thigpen, LSD
01:39:32 Rep. Essmann
01:39:44 Rep. Kelker
01:40:29 Rep. Essmann
01:40:48 Rep. Kelker
01:41:10 Rep. Essmann
01:41:47 Rep. Dudik
01:42:13 Rep. Essmann
01:42:26 Rep. Eck
01:42:34 Helen Thigpen, LSD

01:42:47 **Vote:** Motion carried 12-5 by roll call vote with Rep. Bennett, Rep. Dudik, Rep. Eck, Rep. Kelker and Rep. Woods voting no. Rep. Berglee and Rep. G. Hertz voted by proxy.

01:44:07 **Motion:** Rep. Essmann moved that **HR 1 BE AMENDED.**
EXHIBIT(ruh00a13)

Discussion:

01:45:19 Rep. Dudik
01:45:51 Rep. Essmann
01:45:57 Chair Wagoner

01:46:01 **Vote:** Motion carried 11-6 by roll call vote with Rep. Bennett, Rep. Dudik, Rep. Eck, Rep. Kelker, Rep. Stewart-Peregoy and Rep. Woods voting no. Rep. Berglee and Rep. G. Hertz voted by proxy.

01:47:20 Rep. Essmann
01:47:43 Chair Wagoner

01:47:48 **Motion:** Rep. Essmann moved that **HR 1 BE AMENDED.**
[EXHIBIT\(ruh00a14\)](#)

Discussion:

01:48:43 Chair Wagoner

01:48:47 **Vote:** Motion carried 13-2 by voice vote with Rep. Bennett and Rep. Eck voting no.

01:49:15 **Motion:** Rep. Essmann moved that **HR 1 BE AMENDED.**
[EXHIBIT\(ruh00a15\)](#)

Discussion:

01:50:11 Chair Wagoner

01:50:15 **Vote:** Motion carried unanimously by voice vote.

01:50:42 Rep. Essmann resumes the chair

01:50:50 Rep. Cook

01:51:19 **Motion:** Rep. Woods moved that **HR 1 BE AMENDED.**
[EXHIBIT\(ruh00a16\)](#)

Discussion:

01:53:56 Rep. Cook

01:54:09 Chair Essmann

01:54:36 Rep. Cook

01:55:06 Rep. Woods

01:55:50 Chair Essmann

01:56:00 **Vote:** Motion failed 7-10 by roll call vote with Rep. Bennett, Rep. Dudik, Rep. Eck, Rep. Kelker, Rep. McConnell, Rep. Stewart-Peregoy and Rep. Woods voting aye. Rep. Berglee and Rep. G. Hertz voted by proxy.

01:57:00 **Motion/Vote:** Rep. Wagoner moved that **HR 1 BE ADOPTED AS AMENDED.** Motion carried 12-5 by roll call vote with Rep. Bennett, Rep. Dudik, Rep. Eck, Rep. Kelker and Rep. Woods voting no. Rep. Berglee and Rep. G. Hertz voted by proxy.

ADJOURNMENT

Adjournment: 01:59:37

Phoebe Williams, Secretary

Additional Documents:

EXHIBIT([ruh00aad.pdf](#))